

Docket No.: 50049-046 **PATENT** 

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of : Customer Number: 20277

Kunihiko TOMINAGA : Confirmation Number: Not yet assigned

Application No.: Not yet assigned : Group Art Unit: Not yet assigned

Filed: February 07, 2005 : Examiner: Not yet assigned

For: INTRAVAGINAL WASHING AGENT

## **INFORMATION DISCLOSURE STATEMENT**

Honorable Commissioner for Patents and Trademarks Washington, D. C. 20231

Sir:

In accordance with the provisions of 37 C.F.R. 1.56, 1.97 and 1.98, the attention of the Patent and Trademark Office is hereby directed to the references listed on the attached form PTO-1449. It is respectfully requested that the references be expressly considered during the prosecution of this application, and that the references be made of record therein and appear among the "References Cited" on any patent to issue therefrom.

This Information Disclosure Statement is being filed with the application and no certification or fee is required.

A copy of the foreign search report is attached for the Examiner's information. Please note this is a PCT application in the entry of the National Phase in the U.S. and copies of the references cited were transmitted by WIPO and are believed to be in the file of the above identified application and readily available to the Examiner. Therefore it is believed that Applicants have met all requirements regarding duty of disclosure under 37 CFR 1.56. Acknowledgement and consideration of these documents are respectfully requested.



However, to ensure that these references are available to the Examiner, we are providing copies of these references herewith. Since the Search Report was from the U.S. JPO or EPO search authorities, copies of these references should have been supplied to the USPTO under the trilateral agreement and are believed to be in the file of the above identified application and readily available to the Examiner.

Respectfully submitted,

McDERMOTT WILL & EMERY LLP

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Facsimile: 202.756.8087 **Date: February 7, 2005** 

Please recognize our Customer No. 20277 as our correspondence address.



SHEET 1 OF 1

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|   |   |  |  |                               | APPLICANT Kunihiko TOMINAGA                                      |  |                      |                             |   |  |  |
|   | (   | (PT  | O-1449)                                |                               | FILING DATE February 07, 20                                      | ROUP<br>Not yet a                                  | UP<br>t yet assigned |                             |   |  |  |
|   |   |  | U                                      | .S. PATEN                     | T DOCUMENTS  |  |                      |                             |   |  |  |
| EXAMINER'S<br>INITIALS                              | CITE<br>NO.   | Document Number<br>Number-Kind Code2 (# known)   |  | Publication Dat<br>MM-DD-YYYY |  | Name of Patentee or Applicant of Cited<br>Document |                      |                             | Pages, Columns, Lines, Where<br>Relevant Passages or Relevant<br>Figures Appear |  |  |
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| EXAMINER'S Foreign Patent Document Publication Date |   |  |  |                               | Name of Patentee or  | Pages, Col   | lumns, Lines         | Trans                       | lation  |  |  |
| INITIALS  | CITE<br>NO.   | Country Codes -Number 4 -Kind<br>Codes (if known)  |  | MM-DD-YYYY                    | Applicant of Cited Document                                      |  | Relevant<br>Appear   | Yes                         | No  |  |  |
|   |   |  | JP 08-280369                           | 10/29/1996                    | ASAMA KASEI KK   |  |                      | abstract                    |   |  |  |
|   |   | <u> </u>   | WO 98/46261                            | 10/22/1998                    | GYNELOGIX, INC.  |  |                      |                             |   |  |  |
|   |   |  | JP 11-322621                           | 11/24/1999                    | CAVALIERE VED VESELY<br>RENATA, MARIA ANNA, DE<br>SIMONE CLAUDIO |  |                      | abstract                    |   |  |  |
|   |   |  | JP 2000-125810                         | 05/09/2000                    | YANGU KK   |  |                      | abstract                    |   |  |  |
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|   |   |  | EP 1 082 964 A1                        | 03/14/2001                    | WAKAMOTO PHARMACEUTICAL CO., LTD.                                |  |                      |                             |   |  |  |
|   |   |  | WO 01/34168 A1                         | 05/17/2001                    | GANEDEN BIOTECH, INC.  |  | _                    |                             |   |  |  |
|   |   |  |  |                               | or, Title, Date, Pertinent Pages, E                              |  |                      |                             |   |  |  |
| EXAMINER'S<br>INITIALS                              | Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published. |  |  |                               |  |  |                      |                             |   |  |  |
|   |   | JANICE R. WOOD, et al.; "In Vitro Adherence of Lactobacillus Species to Vaginal Epithelial Cells"; <u>American Journal for Obstetrics and Gynecology</u> ; c. 1985; pp. 740 – 743; vol.153, No. 7; University of California, San Francisco, California |  |                               |  |  |                      |                             |   |  |  |
|   |   | GREGOR REID et al.; "Probiotic Lactobacillus Dose Required to Restore and Maintain a Normal Vaginal Flora"; <u>FEMS</u> <u>Immunology and Medical Microbiology (32)</u> ; c. 2001; pp. 37 – 41; Federation of European Microbiological Societies       |  |                               |  |  |                      |                             |   |  |  |
| <u> </u>  |   |  |  |                               |  |  |                      |                             |   |  |  |
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<sup>\*</sup>EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

1 Applicant's unique citation designation number (optional). 2 Applicant is to place a check mark here if English language Translation is attached.